

# **TOWN OF DAVIE**

## **TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954) 797-1101  
Prepared by: Christopher M. Gratz, Planner II

**SUBJECT:** Plat, P 4-2-02 Z.A.S. Plat, a.k.a. Indian Ridge Commerce Center, 10220 SW 101 Road/ Generally located on the south side of SW 101 Road, 600' west of Nob Hill Road.

**AFFECTED DISTRICT:** District 3

**TITLE OF AGENDA ITEM:** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS Z.A.S. AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The applicant requests approval of the resolution for the proposed plat to be known as the Z.A.S. Plat. The subject site consists of 3.068 acres (133,644 square feet). Based upon the conceptual site presented with ZB 2-2-03 Indian Ridge Commerce Center, the plat note shall be revised to restrict the uses to 11,602 square feet of office and 31,173 square feet of warehouse. Access is provided via a 50' opening on SW 101 Road at the northwest boundary of the development. Non-vehicular access lines (NVAL) are provided on the remainder of the plat's northern boundary. The southern boundary has a 15' drainage easement dedicated to the Central Broward Water Control District.

Staff finds that the proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. As for use, an adequate assurance that the warehouse areas shall be used solely for warehouse or storage is required for proper review of associated impact fees and traffic generation.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** The applicant requested deferral of the request from the November 26, 2003, to the December 10, 2003, Planning and Zoning Board meeting.

At the November 26, 2003, Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Mr. McLaughlin, to approve (Motion carried 5-0).

**FISCAL IMPACT:** N/A

**RECOMMENDATION(S):** This item should be moved from the consent agenda and discussed under public hearing items with the rezoning and master site plan (ZB 2-2-03 & MSP 2-1-03 Indian Ridge Commerce Center). Staff finds the subject application complete and

suitable for transmittal to Town Council for further consideration. In addition, the following conditions shall be met:

1. Provide adequate assurances that the warehouse areas shall be used solely for warehouse or storage use; such assurance shall include a restrictive note on a recorded plat, or a similar recordable document pursuant to §12-208 (G) of the Land Development Code.
2. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
3. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

**Attachment(s):** Resolution, Planning Report, Plat, Future Land Use Plan Map, Zoning and Aerial Map

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PLAT KNOWN AS Z.A.S. AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as Z.A.S. was considered by the Town of Davie Planning and Zoning Board on December 10, 2003;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. The plat known as Z.A.S. is hereby approved subject to the conditions stated on the planning report which is attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

Attest:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2004.

**TOWN OF DAVIE**  
**Development Services Department**  
**Planning and Zoning Division**  
*Staff Report and Recommendation*



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**Applicant Information**

<b><u>Owner:</u></b>		<b><u>Agent:</u></b>	
<b>Name:</b>	Jamie Rey, President Nob Hill Commerce Center, LLC	<b>Name:</b>	Mikki Ulrich, PSM Deni Land Surveyors, Inc.
<b>Address:</b>	7951 SW 49 Street, Suite 206	<b>Address:</b>	1991 NW 35 Avenue
<b>City:</b>	Miami, FL 33155	<b>City:</b>	Coconut Creek, FL 33066
<b>Phone:</b>	(954) 916-3636	<b>Phone:</b>	(954) 973-7966

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**Background Information**

**Application History:** The applicant requested deferral of the request from the November 26, 2003, to the December 10, 2003, Planning and Zoning Board meeting.

**Planning and Zoning Board Recommendation:** At the December 10, 2003, Planning and Zoning Board meeting, the board made a motion to approve the plat.

**Application Request:** Approval of the Z.A.S. Plat.

**Address/Location:** 10220 SW 101 Road/ Generally located on the south side of SW 101 Road, approximately 600' west of Nob Hill Road.

**Future Land Use Plan Map:** Commercial

**Existing Zoning:** A-1, Agricultural District (Broward County)

**Proposed Zoning:** B-3, Planned Business Center District

**Existing Use:** Park City Farmer's Market (Agricultural)

**Proposed Use:** 42,775 square foot office/warehouse development

**Proposed Uses:** 11,602 square foot 1<sup>st</sup> floor office  
21,173 square foot 1<sup>st</sup> floor warehouse  
10,000 square foot mezzanine storage

**Parcel Size:** 3.068 acres (133,644 square feet)

	<u>Surrounding Uses:</u>	<u>Surrounding Future Land Use Plan Map Designations:</u>
<b>North:</b>	SR 84/I-595	Transportation
<b>South:</b>	Indian Ridge Middle School	Commercial
<b>East:</b>	Jaffee at 595 (office building)	Commercial
<b>West:</b>	Diamond 5 Plat (office/warehouse)	Commerce/Office

#### Surrounding Zoning:

<b>North:</b>	T, Transportation District
<b>South:</b>	CF, Community Facilities District
<b>East:</b>	B-3, Planned Business Center District
<b>West:</b>	CC, Commerce Center District

## Zoning History

**Related Zoning History:** The property was annexed into the Town of Davie through House Bill 880, effective October 1, 1981.

**Previous Requests on same property:** The rezoning, ZB 4-1-02 ZAS, was withdrawn by the applicant on August 16, 2002. The proposal was for CC, Commerce Center District zoning, which has never been applied to land with a Commercial Future Land Use Plan Map designation. The applicant withdrew the request to revise the proposal by providing a master site plan in order to obtain B-3, Planned Business Center District zoning.

The rezoning, ZB 2-2-03 Indian Ridge Commerce Center, is being considered concurrently with this request.

The master site plan, MSP 2-1-03 Indian Ridge Commerce Center, is being considered concurrently with this request.

## Applicable Codes and Ordinances

Article XII of the Land Development Code, Subdivisions and Site Plans.

§12-24 (J) (6) of the Land Development Code, Planned Business Center (B-3) District. The B-3 District is intended to implement the commercial designation of the Town of Davie Comprehensive Plan by providing for a business area to meet the shopping and service needs of large sections of the town or metropolitan areas. Such business generally requires considerable ground area, do not cater directly to pedestrians, and need a conspicuous and accessible location convenient for motorists.

## Comprehensive Plan Considerations

**Planning Area:** The subject property falls within Planning Area 4. This planning area is bordered by SR 84 on its north, University Drive on its east, Flamingo Road on its west, and an

irregular border on its south that corresponds to Nova Drive and, SW 14 Street and the Village at Harmony Lake development. A portion of the University Drive and SR 84 commercial corridors are included in this area, as are several planned residential communities and mobile home parks.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 100.

**Applicable Goals, Objectives & Policies:** *Future Land Use Plan, Objective 5: Consistency of Development with Comprehensive Plan, Policy 5-2:* The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

*Future Land Use Plan, Objective 7: Commercial Use, Policy 7-1:* The Town shall endeavor to expand its economic base through expansion of the commercial sector of its economy.

*Future Land Use Plan, Objective 7: Commercial Use, Policy 7-3:* Zoning regulations shall provide for varying intensities of commercial development and direct application of appropriate districts where compatible with adjacent and surrounding residential uses.

*Future Land Use Plan, Objective 7: Commercial Use, Policy 7-4:* Commercial land uses shall be generally be located with access to primary transportation facilities including interstates, highways and arterials.

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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## Application Details

The applicant's submission indicates the following:

1. *Site:* The subject site consists of 3.068 acres (133,644 square feet).
2. *Restrictive Note:* Based upon the conceptual site presented with ZB 2-2-03 Indian Ridge Commerce Center, the plat note shall be revised to restrict the uses to 11,602 square feet of office and 31,173 square feet of warehouse.
3. *Access:* Access is provided via a 50' opening on SW 101 Road at the northwest boundary of the development. Non-vehicular access lines (NVAL) are provided on the remainder of the plat's northern boundary.
4. *Easements and Reservations:* The southern boundary has a 15' drainage easement.

5. *Dedications:* All drainage easements are dedicated to the Central Broward Water Control District.

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### **Staff Analysis and Findings of Fact**

Staff finds that the proposed plat is consistent with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. As for use, an adequate assurance that the warehouse areas shall be used solely for warehouse or storage is required for proper review of associated impact fees and traffic generation.

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### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration. In addition, the following conditions shall be met:

1. Provide adequate assurances that the warehouse areas shall be used solely for warehouse or storage use; such assurance shall include a restrictive note on a recorded plat, or a similar recordable document pursuant to §12-208 (G) of the Land Development Code.
  2. Sufficient capacity of the regional road network, as determined by Broward County. In the event that sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
  3. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.
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### **Planning and Zoning Board Recommendation**

At the November 26, 2003, Planning and Zoning Board meeting, Mr. Stevens made a motion, seconded by Mr. McLaughlin, to approve (Motion carried 5-0).

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### **Town Council Action**

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### **Exhibits**

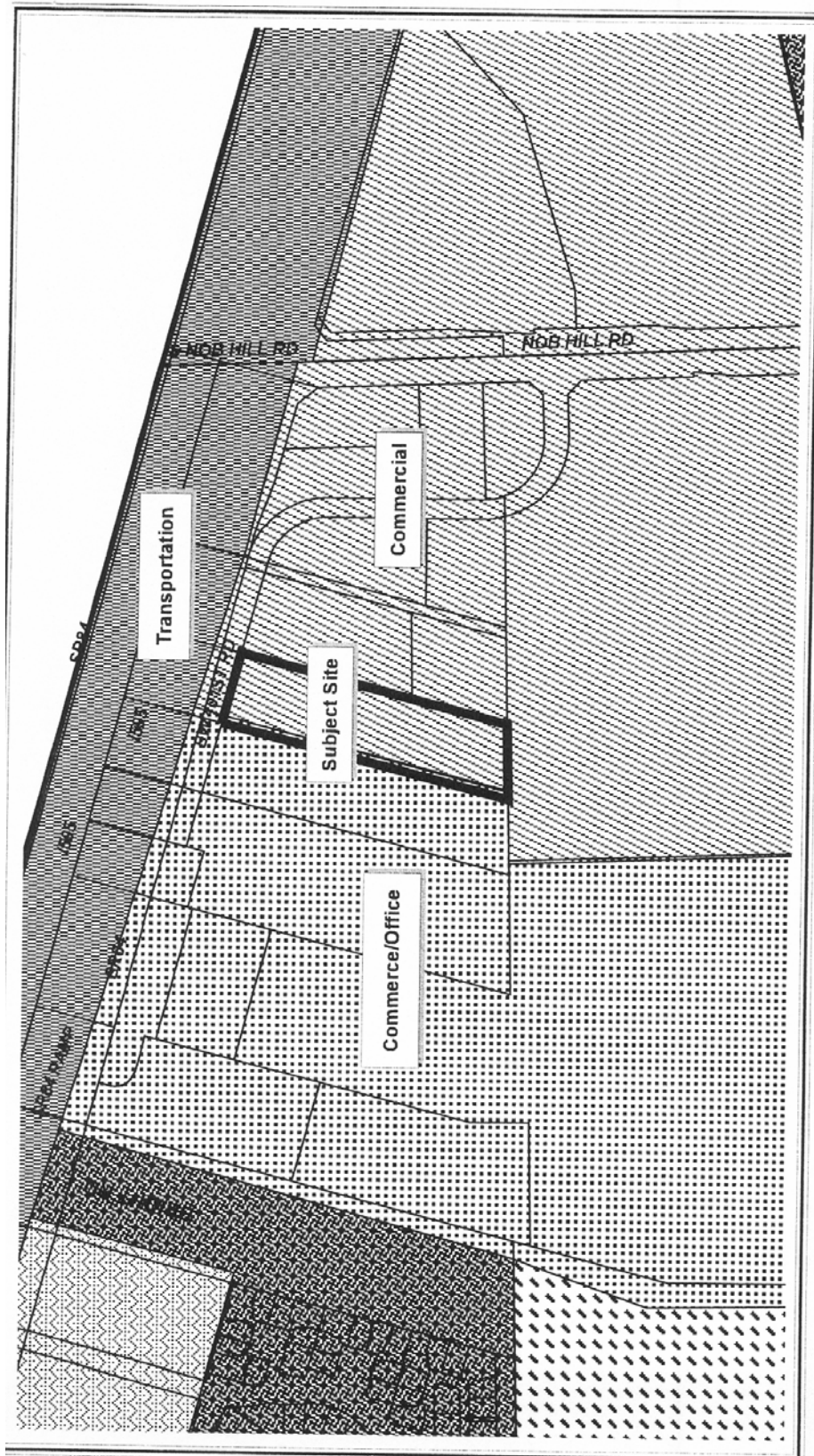
1. Plat
2. Future Land Use Plan Map
3. Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_







Date Flown:  
12/31/00



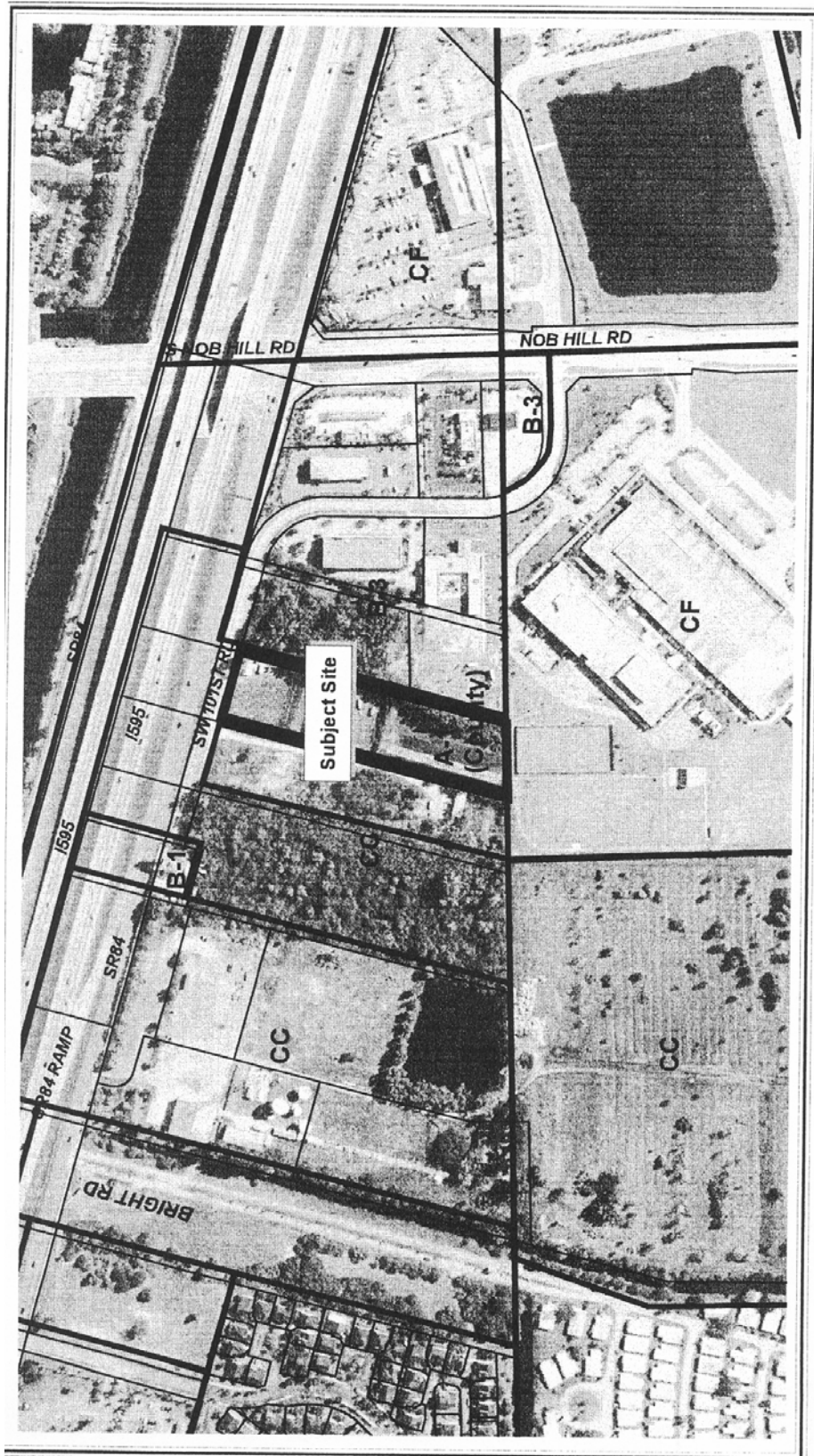
Prepared By: CMG  
Date Prepared: 11/7/03

300 0 300 600 Feet

Planning & Zoning Division - GIS



Indian Ridge Commerce Center aka Z.A.S.  
P 4-2-02, ZB 2-2-03, MSP 2-1-03  
Future Land Use Plan Map



Date Flown:  
12/31/00

Prepared By: CMG  
Date Prepared: 11/7/03



300 0 300 600 Feet

Planning & Zoning Division - GIS



Indian Ridge Commerce Center aka Z.A.S.  
P 4-2-02, ZB 2-2-03, MSP 2-1-03  
Zoning and Aerial Map